

Madam chair and committee members

My name is Rudy Stock spelled RUDY STOCK

I am here today to discuss problems with the BOPP

Montana law states that the board may release any person committed to prison when the board believes:

1. The person is able and willing to fulfill the obligations of a law-abiding citizen and
2. The inmate can be released without detriment to the inmate or to the community.

On June 21, 2018 I sent a letter to Annette Carter who is chair of the BOPP (letter attached). In that letter, I explained that my son was a low risk inmate as he rates a 2 (low risk) on the MORRA risk evaluation assessment and was rated as a Tier 1 (low risk) by the state's licensed counselor. The counselor also stated, "Mr. Stock does not currently present a degree of risk to the community that he requires incarceration". My son received a 50 year sentence with 25 years suspended. He has always maintained his innocence. His case is currently in the US 9th Circuit Court of Appeals. My son has been in prison for over 8 years.

When my son was arrested, he had worked at his job for 18 years and managed up to 9 employees. He owned his own house and vehicles. He has a college degree in computer science and is a certified Microsoft engineer. He had a credit rating in the top 12 % of the nation and he never had trouble with the law. My son has never used drugs or consumed alcohol.

My son meets the criteria for release from prison based on Montana law. The legislature has been told that prison space should be reserved for High risk offenders and my son has proven that he is not one of them. He should be released from prison.

June 21, 2018

Board of Pardons and Parole
1002 Hollenbeck Road
Deer Lodge, Montana 59722

Good morning Ms. Carter:

I mentioned at the Interim Law and Justice meeting last May 21st that I would like to discuss my son's option with you. My son, Donald Rudolph Stock, AO # 3004947, has been in prison for over 8 years. He would have been eligible for parole September 2016 except that the judge put into his sentence that he can't be paroled until his youngest child is 18 years old. The youngest child won't be 18 until 4 ½ more years.

I attended most of the Commission on Sentencing meetings. I attended most of the Interim Law and Justice meetings for the past eight years. I have also attended many of the meetings while the legislature has been in session. From those meetings I have been led to believe that the legislators and the public favor reducing the prison population. My son received a 50 year sentence with 25 years suspended for 2 counts of incest and 1 count of tampering with evidence. He has always maintained his innocence. His case is currently in the 9th circuit. Don is a low risk offender as he scores TWO on the MORRA risk evaluation sheet. Mr. Christopher E. Quigley, LCSH, did a psychosexual evaluation on Don for the state and stated "On the three actuarial risk assessments administered, Mr. Stock scored as a Tier 1, low risk to reoffend sexually on all three instruments." Mr. Quigley stated in his psychosexual evaluation "Mr. Stock does not currently present a degree of risk to the community that he requires incarceration." (page 16 of the report)

If Don were to be released he would stay at our residence at 9 Arrowroot Drive in Jefferson County, a sparsely populated area. When Don was arrested, he had worked at his job for 18 years and managed up to 9 employees. He owned his own house and vehicles. He has a college degree in computer science and he is a certified Microsoft engineer. He had a credit rating in the top 12% of the nation and he never had trouble with the law. Don has never used drugs or consumed alcohol.

Don was diagnosed with a rare eye disease just before going to prison. The local eye doctor thought it was Keratoconus but when seeing a specialist at Rocky Mountain Eye Care in Missoula the disease was diagnosed as Pellucid Marginal Degeneration. During the last eight years in prison, Don's eye sight has gotten worse as he currently has to wear full strength soft lens contacts plus glasses. Don has kited medical several times for reading glasses. Because of Don's contacts and glasses, the reading glasses need to be made from a prescription. Don has a chipped bone in his elbow that floats and causes pain. Don received the chipped bone at Shelby from a fall on ice. Don has become a diabetic while in prison.

Don applied for executive clemency in August 2012 and was denied. With the new laws and the intent of the legislature not to incarcerate low risk offenders, I believe that Don should qualify for clemency. I would like to discuss what options will work.

Sincerely,

Rudy Stock (E Mail: rstockcabinets@mt.net)

Overview

Overview

2017 Legislature Restructures Board of Pardons & Parole

Senate Bill 64, passed by the 2017 Legislature, substantially changed Montana's Board of Pardons and Parole. Most notably, SB 64 created a full-time, five-member professional board.

SB 64 also charged the Board with adopting guidelines to structure and guide parole decisions and release conditions. The guidelines must include consideration of an inmate's:

- risk and needs levels, as determined by a validated risk and needs assessment
- participation in risk-reducing programs and treatment
- institutional behavior as reflected by disciplinary records
- offense severity

Welcome to the Board of Pardons and Parole website. This site is designed to provide valuable, easy-to-use information and to answer common questions about the Board and the critical work it does.

The Board's primary responsibility in making decisions about parole and executive clemency is public safety. Montana law states that the board may release any person committed to prison when the Board believes:

- the person is able and willing to fulfill the obligations of a law-abiding citizen and
- the inmate can be released without detriment to the inmate or to the community.

Parole and executive clemency are privileges, not rights, earned by inmates convicted of felony crimes. As part of the criminal justice system, the Board is doing its part by following the appropriate laws, releasing deserving offenders to community placements, and keeping undeserving or dangerous inmates in prison. The Board also promptly returns to custody offenders who prove to be unwilling to abide by the conditions of their release.

Parole Board Members

Parole Board Members

Name	Appointed	Expires
Annette Carter - Chair	7/1/2017	1/1/2023
Renee Bauer	8/14/2017	1/1/2021
Kristina Lucero	8/14/2017	1/1/2019
Darrell Bell	10/1/2017	1/1/2019